

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/522,354	FUHRER ET AL.
	Examiner Edwin A. Young	Art Unit 3681

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to communication filed 1/26/2005.
2.  The allowed claim(s) is/are 3 and 4.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 1/26/05 & 3/21/05
4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 9/18/06.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Daniels on 9/18/06.

2. The application has been amended as follows:

In the specification:

On page 2, paragraph [012], lines 1-2, "for the reverse gear for the reverse gear" has been replaced with --for the reverse gear--.

In the claims:

Claim 3, lines 2-3, "a drive shaft and an output shaft (2) coaxial in relation to the intermediate gear for a reverse gear (1) and with at least one" has been replaced with --a drive shaft and an output shaft (2) which are coaxial and with at least one--.

3. The following is an examiner's statement of reasons for allowance: The prior art of record does not teach an arrangement of an intermediate gear for a reverse gear in connection with a transmission with a drive shaft and an output shaft, an intermediate shaft, and a driving shaft. Specifically, the prior art of record does not teach the intermediate shaft being for a power take-off and driven by the intermediate gear for the reverse gear; the intermediate gear for the reverse gear being driven by the driving shaft, which also drives the output shaft; and the intermediate gear for the reverse gear

being arranged above an imaginary plane extending through axes of the driving shaft and the output shaft, the driving shaft being located to the right of the output shaft in a direction of travel with an imaginary horizontal orientation of the plane, as required in claim 3.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- FISHER (US 4,463,621) teaches a multiple countershaft automatic transmission (see Figs. 2 and 3) having a drive shaft (32) and an output shaft (96) which are coaxial; an intermediate shaft (88) arranged parallel to the drive and output shafts; and an intermediate gear for a reverse gear (138) being driven by a driving shaft (78), which also drives the output shaft.
- KLARICIC (US 6,092,432) teaches a countershaft transmission as shown in Figs. 1 and 8.
- GOOCH (US 4,495,838) teaches a countershaft transmission as shown in Figs. 1 and 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. Young whose telephone number is 571-272-4781. The examiner can normally be reached on M-F 8-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EAY



ROGER PANG  
PRIMARY EXAMINER

7-22-06